

SENATE/HOUSE FILE _____
BY (PROPOSED IOWA PUBLIC
INFORMATION BOARD BILL)

A BILL FOR

1 An Act relating to governmental bodies and advisory bodies and
2 public notice requirements under the open meetings law.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 21.2, subsection 1, paragraphs a, c, e,
2 h, and j, Code 2018, are amended to read as follows:

3 a. A board, council, commission, or other governing body
4 expressly created by the statutes of this state or by executive
5 order of the governor.

6 c. A multimembered body formally and directly created by
7 one or more boards, councils, commissions, or other governing
8 bodies subject to ~~paragraphs~~ paragraph "a" and or "b" of this
9 subsection.

10 e. An advisory board, advisory commission, advisory
11 committee, or task force formally and directly created by
12 the governor or the general assembly to develop and make
13 recommendations ~~on public policy issues~~ to the governor or the
14 general assembly.

15 h. An advisory board, advisory commission, advisory
16 committee, task force, or other body formally and directly
17 created by ~~statute or executive order of this state or created~~
18 ~~by an executive order of a political subdivision of this~~
19 state one or more boards, councils, commissions, or other
20 governing bodies subject to paragraph "a" or "b" or by a
21 mayor or superintendent of schools, if the school board of a
22 school district has expressly authorized the superintendent
23 to act on behalf of the school district, to develop and make
24 recommendations on public policy issues to the board, council,
25 commission, or other governing body.

26 j. An advisory board, advisory commission, advisory
27 committee, task force, or other body created by an entity
28 organized under chapter 28E, or by the administrator or joint
29 board specified in a chapter 28E agreement, to develop and make
30 recommendations ~~on public policy issues~~ to the entity or joint
31 board.

32 Sec. 2. Section 21.2, subsection 2, Code 2018, is amended
33 to read as follows:

34 2. "*Meeting*" means a gathering in person or by electronic
35 means, formal or informal, of a majority of the members of

1 a governmental body where there is deliberation or action
2 upon any matter within the scope of the governmental body's
3 ~~policy-making~~ duties. Meetings shall not include a gathering
4 of members of a governmental body for purely ministerial or
5 social purposes when there is no discussion of ~~policy~~ duties or
6 no intent to avoid the purposes of this chapter.

7 Sec. 3. Section 21.4, subsection 2, paragraph a, Code 2018,
8 is amended to read as follows:

9 a. Except as otherwise provided in paragraph "c", notice
10 conforming with all of the requirements of subsection 1
11 shall be given at least twenty-four hours, exclusive of
12 Saturdays, Sundays, and any holiday when state or federal
13 offices are closed, prior to the commencement of any meeting
14 of a governmental body unless for good cause such notice is
15 impossible or impractical, in which case as much notice as is
16 reasonably possible shall be given.

17 EXPLANATION

18 The inclusion of this explanation does not constitute agreement with
19 the explanation's substance by the members of the general assembly.

20 This bill relates to the regulation of a governmental body
21 and public notice requirements under the open meetings law
22 (Code chapter 21).

23 The bill amends the definition of governmental body under
24 the open meetings law to specify that only advisory boards,
25 advisory commissions, advisory committees, task forces, or any
26 other body that are formally and directly created by specified
27 governmental bodies or a mayor or superintendent of schools, if
28 the school board of a school district has expressly authorized
29 the superintendent to act on behalf of the school district, are
30 considered governmental bodies subject to the open meetings
31 law.

32 The bill amends the definition of a meeting that is subject
33 to the requirements of the open meetings law to exclude
34 references to only policymaking actions, expanding the
35 definition to include any deliberations or actions (including

1 recommendations) taken by a governmental body as defined in
2 the open meetings law, that are within a governmental body's
3 duties.

4 The bill excludes weekend days and state and federal
5 holidays when state or federal offices are closed when
6 determining the 24-hour time period for purposes of public
7 notice under the open meetings law.